

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AVIAD BESSLER, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

ZAFGEN, INC. and THOMAS E. HUGHES,

Defendants.

Civil Action No. 1:15-cv-13618

**JOINT STIPULATION AND [PROPOSED] ORDER
TO EXTEND TIME TO RESPOND TO THE COMPLAINT**

The parties hereto, by and through their counsel, agree to extend the time within which Defendants Zafgen, Inc. and Thomas E. Hughes (together, the “Defendants”) must answer, move, or otherwise respond to the complaint in this action.

WHEREAS, Plaintiff commenced this action by filing a complaint on October 21, 2015 (the “Complaint”);

WHEREAS, the Complaint asserts claims on behalf of a purported class under Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 (the “Exchange Act”) and Rule 10b-5 promulgated thereunder; and

WHEREAS, pursuant to the Exchange Act and the Private Securities Litigation Reform Act of 1995, the Court will appoint a Lead Plaintiff, and that Lead Plaintiff subsequently will amend the Complaint (the “Amended Complaint”);

ACCORDINGLY, the parties respectfully request that the following schedule be ordered in this case in connection with the Amended Complaint and the briefing schedule on any motion to dismiss that Amended Complaint:

- Defendants agree to accept service without any further process or request for waiver necessary;
- Defendants need not answer, move, or otherwise respond to the Complaint before entry of an Order appointing a Lead Plaintiff and Lead Counsel pursuant to § 78u-4(a)(3) of the Exchange Act (15 U.S.C. §§ 78a et seq.) (the “Lead Plaintiff Order”);
- The Amended Complaint shall be due sixty (60) days after entry of the Lead Plaintiff Order;
- Defendants shall have sixty (60) days following the filing of the Amended Complaint to answer, move, or otherwise respond to the Amended Complaint;
- If Defendants move to dismiss the Amended Complaint, Lead Plaintiff shall have forty-five (45) days from the filing of Defendants’ motion to file an opposition; and
- Following the filing of Lead Plaintiff’s opposition, Defendants shall have thirty (30) days to file a reply in further support of their motion to dismiss.

Dated: November 17, 2015

AVIAD BESSLER, Individually and
on Behalf of All Others Similarly Situated

ZAFGEN, INC., and THOMAS E.
HUGHES

By their attorneys,

By their attorneys,

/s/ Joel A. Fleming

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IT IS SO ORDERED:

Dated: _____

Marianne B. Bowler
United States Magistrate Judge

CERTIFICATE OF SERVICE

I, Deborah S. Birnbach, hereby certify that a copy of the foregoing Joint Stipulation, filed through the CM/ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on November 17, 2015.

/s/ Deborah S. Birnbach